Exhibit E

Deposition of Daniel Bitler
January 22, 2010

In Re:

Digitek

Daniel W. Bitler

January 22, 2010

Confidential – Subject to Further Confidentiality Review

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you in the phrase "product release," and, again, speaking only about the years at Actavis, does the term "product release" mean different things in different points in your inspection or investigation of a product to determine if it should be released?

A I am not sure I understand what you're asking.

Q That's because it was a terrible question.

Can a product be released more than one time? In other words, does "released" mean only that the product is being released to the marketplace or can the word "released" be used more internally that the product is released in some other fashion?

A There can be multiple release points for the product during the process.

Q Can you tell me what those were at Actavis, the release points?

A You would have a release of the manufactured product prior to packaging. There would be a release of the product testing results from the laboratory. And then

there would be a release of the packaged, final packaged product for distribution. And for certain specific customers, there would be a release for shipment based off their authorization.

Q Are you finished your answer?

A Yes.

Q Are all four of those release points relevant to Digitek?

A Yes.

Q So was there a fourth release point that involved someone else getting involved for shipment, some other company besides Actavis?

A Yes.

Q Who was that?

A Mylan Labs.

Q What did Mylan Labs have to do with a release of a product for shipment?

A Mylan Labs provided us with authorization to ship batches prior to us sending them to them.

Q They provided some sort of blank authorization that you had to fill in or they

of specification but not double size?

A When we were going through and looking at the potential root causes of how double tablets could have been formed, going through the discussions with manufacturing, part of their process was to determine based off the equipment used how it was possible for double tablets to be formed. That combined with the inspection process that we use as part of our normal standard operating procedures, it was determined that it was not a variation of weights throughout a range of normal specification to the double tablet; it was normal spec and a couple of double tablets. That was the only issue.

Q So manufacturing did an investigation as to how it could have happened, that's the root cause; right?

A That's part of the process, sure, trying to determine what the cause was.

Q And QA was doing an investigation on whether and how many pills were out of spec; is that your testimony?

A It's all part of the same process.

They're not separate investigations. They're all part of the same investigation's process. It's a step in that process.

Q But QA wouldn't go into the equipment and try to find out if there was an equipment problem; that would be the manufacturing end?

A I mean, I did talk to manufacturing and asked them to explain what they were determining as part of that process. So there would be conversation back and forth. But as far as QA going out and working on a given piece of equipment to try to ascertain what took place, no. That was left to the manufacturing department to make that determination.

Q On the QA end of it -- and I understand your testimony that it's one investigation. But on the part that's actually being done by QA people, that was to determine whether there are out-of-spec Digitek tablets? Is that the basic point of the investigation?

A I'm sorry. I'm not sure what you're

assurance director that the FDA was critical of the failure of the quality unit to reject products not meeting specifications?

MR. MORIARTY: Objection. This is May 20. He probably wasn't even there then.

MR. PETTIT: Please, sir, just object.

BY MR. PETTIT:

Q The question was: No one ever told you that?

MR. MORIARTY: Objection.

THE WITNESS: No, because you're talking about in this case the quality unit. That's not quality assurance by itself. It's the quality unit.

BY MR. PETTIT:

Q What's the quality unit?

A That includes quality control, laboratories. When you say not meeting specifications, it could be laboratory-related. It could be -- validation's part of the quality unit. It

could be validation-related. It could be manufacturing. The quality unit encompasses all quality systems and all quality members of the organization. It's not just quality assurance.

Q But it sure could be focused on the release of Digitek tablets Lot 70924A2 following a visual inspection, could it not?

MR. MORIARTY: Objection.

THE WITNESS: That was a single item that they were looking at was that investigation.

BY MR. PETTIT:

Q So out of all of the many, many products Actavis made, they made a point of having an inspection that was focused on something which they spelled out, and they actually spelled out the name of the drug, digoxin tablets, which is Digitek, the lot number, the dosage, the fact that there was a visual inspection. Did anyone ever tell you that the FDA in this inspection was focusing on your release of Digitek 70924A2 after a visual inspection?